

thereof Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a).

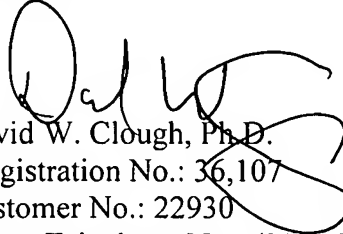
**E. Conclusion**

In view of the above amendments and remarks, Applicants respectfully submit that the instant application is in good and proper order for allowance and early notification to this effect is solicited. If, in the opinion of the Examiner, a telephone conference would expedite prosecution of the instant application, the Examiner is encouraged to call the undersigned at the number listed below.

Respectfully submitted,

HOWREY LLP

By:

  
David W. Clough, Ph.D.

Registration No.: 36,107

Customer No.: 22930

Direct Telephone No.: (312) 595-1408

Dated: July 10, 2007

HOWREY LLP  
ATTN: Docketing Department  
2941 Fairview Park Drive, Suite 200  
Falls Church, VA 22042-9922  
Telephone No.: (703) 663-3600  
Facsimile No.: (703) 336-6950



Inventor: McCafferty, et al.

Dkt. No. 05569.0004.DVUS11

Appln. No. 10/803,622

Attorneys TCS

Filed: March 18, 2004

Date: October 20, 2004

Title: Methods for Producing Members of Specific Binding Pairs

*for transmittal*  
Transmittal letter, Submission of Protective Order Materials Under MPEP § 724; cited references C5, C15, C20, C21, C22, C23, C23A and C24; Petition to Expunge under 37 C.F.R. § 1.59(b); Supplemental Information Disclosure Statement; PTO Form SB/08A and return-receipt postcard.

U.S. Patent & Trademark Office

Sir:

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,

Inventor: McCafferty, et al.

Dkt. No. 05569.0004.DVUS11

Appln. No. 10/803,622

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Date: October 20, 2004

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Transmittal letter, Submission of Protective Order Materials Under MPEP § 724; cited references C5, C15, C20, C21, C22, C23, C23A and C24; Petition to Expunge under 37 C.F.R. § 1.59(b); Supplemental Information Disclosure Statement; PTO Form SB/08A and return-receipt postcard.

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Sir:

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,

HOWREY SIMON ARNOLD & WHITE, LLP



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 10

Application Number	10/803,622
Filing Date	March 18, 2004
First Named Inventor	J. McCafferty
Art Unit	1639
Examiner Name	Not yet assigned
Attorney Docket Number	05569.0004.DVUS11

**ENCLOSURES (Check all that apply)**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input checked="" type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Submission of Protective Order Materials Under<br>MPEP § 724; cited references C5, C15, C20,<br>C21, C22, C23, C23A and C24; PTO Form<br>SB/08A and return-receipt postcard. |
|--|---|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Howrey Simon Arnold & White, LLP		
Signature			
Printed name	Teddy C. Scott, Jr., Ph.D.		
Date	October 20, 2004	Reg. No.	53,573

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile-transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Teddy C. Scott Jr., Ph.D.	Date	October 20, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



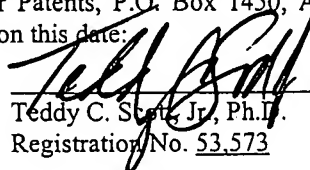
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McCafferty, et al.  
App. No.: 10/803,622  
Conf. No.: 6206  
Filing Date: March 18, 2004  
Title: METHODS FOR PRODUCING  
MEMBERS OF SPECIFIC BINDING  
PAIRS  
Art Unit: 1639  
Examiner: Not yet assigned

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date:

10/20/04  
Date

  
Teddy C. Scott, Jr., Ph.D.  
Registration No. 53,573

SUBMISSION OF PROTECTIVE ORDER MATERIALS UNDER MPEP § 724

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit herewith documents subject to a protective order for consideration under MPEP § 724. In compliance with MPEP § 724, the documents subject to a protective order are attached in a sealed envelope, with the envelope and each document marked as follows:

MATERIAL SUBJECT TO PROTECTIVE ORDER - NOT OPEN TO PUBLIC  
TO BE OPENED ONLY BY EXAMINER OR OTHER AUTHORIZED U.S.  
PATENT AND TRADEMARK OFFICE EMPLOYEE:

>DO NOT SCAN<

Tribunal Issuing Protective Order:	U.S. District Court for the District of Columbia, Judge James Robertson
Proceeding:	MORPHOSYS AG V. CAMBRIDGE ANTIBODY LIMITED
Civil Action No.:	1:00 CV 00146
Date of Order:	March 13, 2002
Status of Proceedings:	Dismissed - Settled
In Re Application of:	J. McCafferty, et al.
Application No.	10/803,622
Filed:	March 18, 2004

For: METHODS FOR PRODUCING MEMBERS OF  
SPECIFIC BINDING PAIRS

Art Unit: 1639

Examiner: Not yet assigned

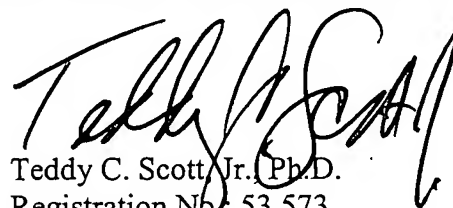
Submitted herewith is the following: (i) Supplemental Information Disclosure Statement Pursuant To 37 C.F.R. §§ 1.56, 1.97 and 1.98; and (ii) Petition under 37 C.F.R. § 1.59(b) together with the requisite fee of \$130, as set forth in 37 C.F.R. § 1.17(f). No other fees are believed to be due in connection with the filing of this paper, however, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this paper, the Commissioner is hereby authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit Account 08-3038.

Respectfully submitted,

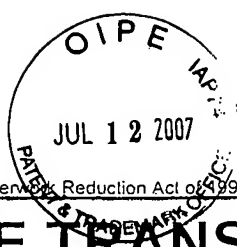
HOWREY SIMON ARNOLD & WHITE, LLP

Dated: October 20, 2004

By:

  
Teddy C. Scott, Jr. Ph.D.  
Registration No.: 53,573  
Customer No.: 22930

HOWREY SIMON ARNOLD & WHITE, LLP  
321 N. Clark Street, Suite 3400  
Chicago, IL 60661  
(312) 595-1239 (main)  
(312) 846-5621 (direct)  
(312) 595-2250 (fax)



PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Patent Fee Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 130.00

**Complete if Known**

Application Number	10/803,622
Filing Date	March 18, 2004
First Named Inventor	J. McCafferty
Examiner Name	Not yet assigned
Art Unit	1639
Attorney Docket No.	05569.0004.DVUS11

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number: 08-3038  
Deposit Account Name: Howrey Simon Arnold & White LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$ )	-0-

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$ ) -0-

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Teddy C. Scott, Jr., Ph.D.	Registration No. (Attorney/Agent)	53,573	Telephone	312 846-5621
Signature	<i>Teddy C. Scott</i>	Date	October 20, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): McCafferty, et al.  
 App. No.: 10/803,622  
 Conf. No.: 6206  
 Filing Date: March 18, 2004  
 Title: METHODS FOR PRODUCING  
 MEMBERS OF SPECIFIC BINDING  
 PAIRS  
 Art Unit: 1639  
 Examiner: Not yet assigned

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on this date:

10/20/2004

Date

*Teddy C. Scott, Jr.*  
 Teddy C. Scott, Jr., Ph.D.  
 Registration No. 53,573

## PETITION TO EXPUNGE UNDER 37 C.F.R. § 1.59(b)

MAIL STOP AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

The documents submitted on the Supplemental Information Disclosure Statement filed herewith under MPEP § 724.02 are subject to a protective order issued by the U.S. District Court for the District of Columbia in Civil Action No. 1:00 CV 00146. Pursuant to 37 C.F.R. § 1.59, Applicants request that if the documents are not found to be important to a reasonable examiner in deciding whether to allow the above-identified application to issue as a patent, the documents be returned.

Submitted herewith is a fee of \$130 as set forth in 37 C.F.R. § 1.17(f). No other fees are believed to be due in connection with the filing of this paper, however, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this paper,

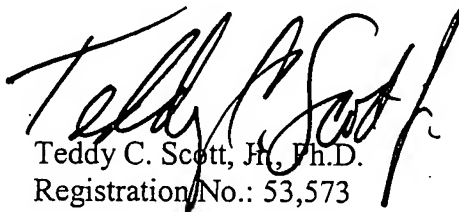
the Commissioner is hereby authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit Account 08-3038.

Respectfully submitted,

HOWREY SIMON ARNOLD & WHITE, LLP

Dated: October 20, 2004

By:

  
Teddy C. Scott, Jr., Ph.D.  
Registration No.: 53,573  
Customer No.: 22930

HOWREY SIMON ARNOLD & WHITE, LLP  
321 N. Clark Street, Suite 3400  
Chicago, IL 60661  
(312) 595-1239 (main)  
(312) 846-5621 (direct)  
(312) 595-2250 (fax)





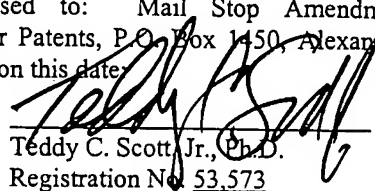
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Title: METHODS FOR PRODUCING  
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PAIRS  
Art Unit: 1639  
Examiner: Not yet assigned

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10/20/04  
Date

  
Teddy C. Scott, Jr., Ph.D.  
Registration No. 53,573

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. §§ 1.56, 1.97 AND 1.98

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with 37 C.F.R. § 1.97 and the continuing duty of disclosure under 37 C.F.R. § 1.56, Applicants call to the attention of the Examiner the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B. It is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Forms PTO/SB/08A and PTO/SB/08B be considered by the Examiner and made of record.

The documents were previously listed on the Form PTO/SB08A submitted on March 18, 2004 as C5, C15, C20, C21, C22, C23, C23A and C24. Copies of the documents were previously submitted in Application No. 09/726,219 filed November 28, 2000 (the "Priority Application"), from which the instant application relies upon for an earlier effective filing date under 35 U.S.C. § 120. A petition to expunge the documents in the Priority Application was granted on June 9, 2004. In view of the documents being expunged in the Priority Application, Applicants hereby submit Form PTO/SB/08A listing the documents together with copies of the documents pursuant to 37 C.F.R. § 1.98(a)(2). For the convenience of the Examiner, the documents are listed on the Form PTO/SB/08A submitted herewith in a manner consistent with that of the Form PTO/SB08A submitted on March 18, 2004.

In accordance with 37 C.F.R. § 1.97(g), this Information Disclosure Statement is not to be construed as a representation that a search has been made. In accordance with 37 C.F.R. § 1.97(h), this Information Disclosure Statement is not to be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of a first Office Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b)(3).

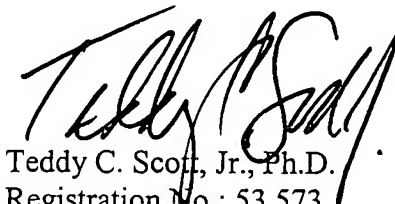
No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Commissioner is hereby authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit Account 08-3038.

Respectfully submitted,

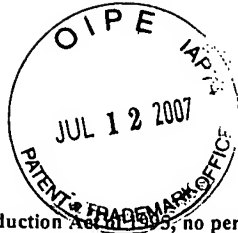
HOWREY SIMON ARNOLD & WHITE, LLP

Dated: October 20, 2004

By:

  
Teddy C. Scott, Jr., Ph.D.  
Registration No.: 53,573  
Customer No.: 22930

HOWREY SIMON ARNOLD & WHITE, LLP  
321 N. Clark Street, Suite 3400  
Chicago, IL 60661  
(312) 595-1239 (main)  
(312) 846-5621 (direct)  
(312) 595-2250 (fax)



<b>Substitute for form 1449A/PTO</b> <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> (Use several sheets if necessary)				Docket Number 05569.0004.DVUS11				Application Number 10/803,622							
				Applicant J. McCafferty <i>et al.</i>											
				Filing Date March 18, 2004				Group Art Unit 1639							
<b>U. S. PATENT DOCUMENTS</b>															
EXAMINER INITIAL		DOCUMENT NUMBER						DATE		NAME		CLASS	SUB CLASS	FILING DATE IF APPROP.	
<b>FOREIGN PATENT DOCUMENTS</b>															
		DOCUMENT NUMBER						DATE		COUNTRY		CLASS	SUB CLASS	Translation Yes No	
<b>OTHER DOCUMENTS</b> (Including Author, Title, Date, Pertinent Pages, Etc.)															
C5		Redacted Agreement Between Medical Research Council and Cambridge Antibody Technology Limited and Antibody Technology Group plc, made 01 January 1997													
C15		Chiswell memo, dated 30 July 1990, transmitting a copy of the Collaborative Agreement between Cambridge Antibody Technology and The Medical Research Council, dated July 27, 1995.													
C20		Administration Agreement between Cambridge Antibody Technology Ltd. and Medical Research Council, dated 01 August 1991 (Redacted).													
C21		Fax from John McCafferty (of Cambridge Antibody Technology Limited) to Sean Walton (of Mewburn Ellis) regarding the Smith grant application.													
C22		E-mail message from John McCafferty (of Cambridge Antibody Technology Limited) to Brian Kay regarding the Smith grant application													
C23		Letter to Craig Panner (of the Academic Press) from John McCafferty (Cambridge Antibody Technology Limited) regarding the Smith grant application													
EXAMINER								DATE CONSIDERED							
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.															

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Sheet 2 of 2

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> (Use several sheets if necessary)		Docket Number 05569.0004.DVUS11	Application Number 10/803,622
		Applicant J. McCafferty <i>et al.</i>	
		Filing Date March 18, 2004	Group Art Unit 1639
<b>OTHER DOCUMENTS</b> (Including Author, Title, Date, Pertinent Pages, Etc.)			
	C23A	Fax to John McCafferty, Ph.D. (of Cambridge Antibody Technology Limited) from Craig Panner (of Academic Press) dated June 10, 1996.	
	C24	Smith, G. P., "1988 - A Year of Discovery", <i>Phage Display of Peptides and Proteins</i> , Academic Press, Inc. (1996), pp. xvii-xix.	
EXAMINER		DATE CONSIDERED	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.			